

EXHIBIT E

1 Sean Eskovitz (SBN 241877)
2 WILKINSON WALSH + ESKOVITZ LLP
3 11726 San Vicente Blvd., Ste. 600
4 Los Angeles, CA 90049
5 Telephone: (424) 316-4000
6 Facsimile: (202) 847-4005
7 *seskovitz@wilkinsonwalsh.com*

8 Beth A. Wilkinson (*pro hac vice*)
9 Alexandra M. Walsh (*pro hac vice*)
10 Brian L. Stekloff (*pro hac vice*)
11 Rakesh N. Kilaru (*pro hac vice*)
12 WILKINSON WALSH + ESKOVITZ LLP
13 2001 M Street NW, 10th Floor
14 Washington, DC 20036
15 Telephone: (202) 847-4000
16 Facsimile: (202) 847-4005
17 *bwilkinson@wilkinsonwalsh.com*
18 *awalsh@wilkinsonwalsh.com*
19 *bstekloff@wilkinsonwalsh.com*
20 *rkilaru@wilkinsonwalsh.com*

21 Jeffrey A. Mishkin (*pro hac vice*)
22 Karen Hoffman Lent (*pro hac vice*)
23 SKADDEN ARPS SLATE MEAGHER &
24 FLOM LLP
25 Four Times Square
26 New York, NY 10036
27 Telephone: (212) 735-3000
28 Facsimile (212) 735-2000
jeffrey.mishkin@skadden.com
karen.lent@skadden.com
Counsel for Defendant NCAA
[Additional counsel listed on signature page]

Steve W. Berman (*pro hac vice*)
HAGENS BERMAN SOBOL SHAPIRO
LLP
1918 Eighth Avenue, Suite 3300
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
steve@hbsslaw.com

Bruce L. Simon (SBN 96241)
PEARSON, SIMON & WARSHAW, LLP
44 Montgomery Street, Suite 2450
San Francisco, CA 94104
Telephone: (415) 433-9000
Facsimile: (415) 433-9008
bsimon@pswlaw.com

Jeffrey L. Kessler (*pro hac vice*)
David G. Feher (*pro hac vice*)
David L. Greenspan (*pro hac vice*)
WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166-4193
Telephone: (212) 294-6700
Facsimile: (212) 294-4700
jkessler@winston.com
dfeher@winston.com
dgreenspan@winston.com

*Class Counsel for Jenkins and Consolidated
Action Plaintiffs*

[Additional counsel listed on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

23 IN RE NATIONAL COLLEGIATE
24 ATHLETIC ASSOCIATION ATHLETIC
25 GRANT-IN-AID CAP ANTITRUST
LITIGATION

26 THIS DOCUMENT RELATES TO:
27 ALL ACTIONS.

Case No. 4:14-md-02541-CW
~~Case No. 14 ev-02758 CW~~

**STIPULATION AND [PROPOSED] ORDER
REGARDING SECOND ADDENDUM TO
STIPULATED PROTECTIVE ORDER**

Judge: Hon. Claudia Wilken

1 All parties and Network Intervenors, by and through their respective counsel, hereby agree and
 2 stipulate to the below as it relates to the Second Addendum to the “Stipulated Protective Order
 3 Regarding Confidentiality of Documents and Materials” (the “Second Addendum”) (Dkt. 512) entered
 4 by the Court on October 12, 2016:

5 1. The Second Addendum was negotiated and signed between Plaintiffs and only five of
 6 the Conference Defendants in the Consolidated Action: (1) Atlantic Coast Conference; (2) The Big
 7 Ten Conference, Inc.; (3) The Big 12 Conference, Inc.; (4) Pac-12 Conference; and (5) Southeastern
 8 Conference. (Dkt. 508.)

9 2. On November 11, 2016, Magistrate Judge Nathaniel M. Cousins entered via minute
 10 entry (Dkt. 540) the Third Addendum to the Stipulated Protective Order (Dkt. 539) (the “Third
 11 Addendum”). The Third Addendum was signed and entered for the purpose of applying the terms of
 12 the Second Addendum to the six other Conference Defendants in the Consolidated Action and the
 13 National Collegiate Athletic Association (“NCAA”). The six other Conference Defendants in the
 14 Consolidated Action are: (1) the American Athletic Conference; (2) Conference USA; (3) the Mid-
 15 American Conference; (4) the Mountain West Conference; (5) the Sun Belt Conference; and (6) the
 16 Western Athletic Conference (collectively, the “Six Conferences”).

17 3. The Second Addendum was also signed by certain media networks that formally
 18 intervened in this litigation: (1) ESPN entities (ESPN, Inc., ESPN Enterprises, Inc., and American
 19 Broadcasting Companies, Inc.); (2) Fox entities (Fox Broadcasting Company, Fox Cable Networks,
 20 Inc., and Fox International Channels (US), Inc.); and (3) CBS Broadcasting Inc. (collectively, the
 21 “Network Intervenors”). By way of the Third Addendum, the rights and obligations of the Network
 22 Intervenors under the Second Addendum were extended to apply not just to the Network Intervenors,
 23 but to all media networks (including their various entities, affiliates and assigns) that are partners of
 24 any of the eleven Conference Defendants in this litigation or the NCAA, and which have an interest
 25 in the litigation, regardless of whether each has formally intervened in this litigation.

26 4. Absent Network Intervenor permission, the Second Addendum and Third Addendum
 27 limit the involvement of defense counsel who receive information that is designated “Network Strictly
 28 Confidential – Outside Litigation Counsel Only” (“NSC”), which is defined in Paragraph 4 of the

1 Second Addendum. Specifically, Paragraph 7(a)(2) of the Second Addendum provides:

2 [A]ny individual attorney who reviews Network Strictly Confidential –
 3 Outside Litigation Counsel Only Information of a Network Intervenor to
 4 which such attorney did not have access prior to production of such
 5 Information in this action may not, absent written permission from such
 6 Network Intervenor, participate directly or indirectly on or before March
 7 31, 2021 in negotiating any media, network, or broadcasting contract,
 8 agreement, arrangement, or understanding with such Network Intervenor,
 9 except that nothing in this Addendum shall be construed to require a
 Network Intervenor's permission for any individual attorney's participation
 in negotiating any agreements, arrangements, or understandings pertaining
 to discovery, motion practice, or other litigation-related matters in this
 lawsuit pertaining to Network Strictly Confidential – Outside Litigation
 Counsel Only Information of a Network Intervenor.

10 5. Trial of this matter is scheduled to begin on September 4, 2018. The parties' pretrial
 11 filings identify as proposed exhibits and testimony for trial certain information that is designated NSC
 12 pursuant to the Second Addendum. A number of defense counsel implicated by the terms of Paragraph
 13 7(a)(2) of the Second Addendum intend to attend the trial, in whole or in part. Counsel for the Network
 14 Intervenors may also attend the trial, in whole or in part.

15 6. The parties and Network Intervenors therefore stipulate and agree that the restriction
 16 imposed by Paragraph 7(a)(2) of the Second Addendum be modified as follows for purposes of the
 17 forthcoming trial only: to the extent NSC information is inadvertently revealed at trial by any exhibit,
 18 witness, the Court, or oral presentation by counsel, defense counsel and counsel for the Network
 19 Intervenors shall not, solely as a result of such disclosure, be barred from future negotiations under
 20 Paragraph 7(a)(2) of the Second Addendum. To the extent NSC Information is permissibly used at
 21 trial, including over the objection of a Network Intervenor, and regardless of whether the information
 22 is later sealed, then defense counsel and counsel for the Network Intervenors shall not, solely as a
 23 result of such disclosure, be barred from future negotiations under Paragraph 7(a)(2) of the Second
 24 Addendum.

25 IT IS SO STIPULATED.
 26
 27
 28

1 Dated: September 4, 2018

2 By /s/ Steve W. Berman

3 Steve W. Berman (*pro hac vice*)
4 Craig Spiegel (SBN122000)
HAGENS BERMAN SOBOL SHAPIRO
LLP
5 1918 Eighth Avenue, Suite 3300
Seattle, WA 98101
Telephone: (206) 623-7292
6 Facsimile: (206) 623-0594
steve@hbsslaw.com
craigs@hbsslaw.com

7
8 Jeff D. Friedman (SBN 173886)
9 HAGENS BERMAN SOBOL SHAPIRO
LLP
10 715 Hearst Avenue, Suite 202
Berkeley, CA 94710
Telephone: (510) 725-3000
11 Facsimile: (510) 725-3001
jeff@hbsslaw.com

12 By /s/ Bruce L. Simon

13 Bruce L. Simon (SBN 96241)
14 Benjamin E. Shiftan (SBN 265767)
15 PEARSON, SIMON & WARSHAW, LLP
16 44 Montgomery Street, Suite 2450
San Francisco, CA 94104
Telephone: (415) 433-9000
17 Facsimile: (415) 433-9008
bsimon@pswlaw.com
bshiftan@pswlaw.com

18
19 *Class Counsel for Jenkins and Consolidated*
Action Plaintiffs

20 Respectfully submitted,

21 By /s/ Jeffrey L. Kessler

22 Jeffrey L. Kessler (*pro hac vice*)
David G. Feher (*pro hac vice*)
David L. Greenspan (*pro hac vice*)
Jennifer M. Stewart (*pro hac vice*)
Joseph A. Litman (*pro hac vice*)
WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166-4193
Telephone: (212) 294-6700
Facsimile: (212) 294-4700
jkessler@winston.com
dfeher@winston.com
dgrenspan@winston.com
jstewart@winston.com
jlitman@winston.com

23 Sean D. Meenan (SBN 260466)
Jeanifer E. Parsigian (SBN 289001)
WINSTON & STRAWN LLP
101 California Street
24 San Francisco, CA 94111
Telephone: (415) 591-1000
Facsimile: (415) 591-1400
smeenan@winston.com
jparsigian@winston.com

25 *Class Counsel for Jenkins and Consolidated*
Action Plaintiffs

26 By /s/ Elizabeth C. Pritzker

27 Elizabeth C. Pritzker (SBN 146267)
Jonathan K. Levine (SBN 220289)
Bethany L. Caracuzzo (SBN 190687)
PRITZKER LEVINE LLP
180 Grand Avenue, Suite 1390
Oakland, California 94612
Telephone: (415) 692-0772
Facsimile: (415) 366-6110

28 *Additional Class Counsel*

1 By: /s/ Beth A. Wilkinson
2 Beth A. Wilkinson (*pro hac vice*)
3 Alexandra M Walsh (*pro hac vice*)
4 Brian L. Stekloff (*pro hac vice*)
5 Rakesh N. Kilaru (*pro hac vice*)
6 WILKINSON WALSH + ESKOVITZ LLP
7 2001 M Street NW, 10th Floor
8 Washington, DC 20036
9 Telephone: (202) 847-4000
Facsimile: (202) 847-4005
bwilkinson@wilkinsonwalsh.com
awalsh@wilkinsonwalsh.com
bstekloff@wilkinsonwalsh.com
rkilaru@wilkinsonwalsh.com
10 Sean Eskovitz (SBN 241877)
11 WILKINSON WALSH + ESKOVITZ LLP
12 11726 San Vicente Blvd., Suite 600
Los Angeles, CA 90049
Telephone: (424) 316-4000
Facsimile: (202) 847-4005
seskovitz@wilkinsonwalsh.com

13
14 *Attorneys for Defendant National Collegiate*
15 *Athletic Association*

16 By: /s/ Bart H. Williams
17 Bart H. Williams (SBN 134009)
Scott P. Cooper (SBN 96905)
Kyle A. Casazza (SBN 254061)
Jennifer L. Jones (SBN 284624)
Shawn S. Ledingham, Jr. (SBN 275268)
Jacquelyn N. Crawley (SBN 287798)
PROSKAUER ROSE LLP
2049 Century Park East, Suite 3200
Los Angeles, CA 90067
Telephone: (310) 557-2900
Facsimile: (310) 557-2193
bwilliams@proskauer.com
scooper@proskauer.com
kcasazza@proskauer.com
jljones@proskauer.com
sle dingham@proskauer.com
jcrawley@proskauer.com

21
22 *Attorneys for Defendant*
23 *Pac-12 Conference*

24 By: /s/ Jeffrey A. Mishkin
Jeffrey A. Mishkin (*pro hac vice*)
Karen Hoffman Lent (*pro hac vice*)
SKADDEN ARPS SLATE MEAGHER
& FLOM LLP
Four Times Square
New York, NY 10036
Telephone: (212) 735-3000
Facsimile (212) 735-2000
jeffrey.mishkin@skadden.com
karen.lent@skadden.com
Raoul D. Kennedy (SBN 40892)
SKADDEN ARPS SLATE MEAGHER
& FLOM LLP
525 University Avenue, Suite 1100
Palo Alto, California 94301
Telephone: (650) 470-4500
Facsimile: (650) 470-4570
raoul.kennedy@skadden.com

25
26 *Attorneys for Defendant National Collegiate*
27 *Athletic Association and*
28 *Western Athletic Conference*

By: /s/ Britt M. Miller
Andrew S. Rosenman (SBN 253764)
Britt M. Miller (*pro hac vice*)
MAYER BROWN LLP
71 South Wacker Drive
Chicago, IL 60606
Telephone: (312) 782-0600
Facsimile: (312) 701-7711
arosenman@mayerbrown.com
bmiller@mayerbrown.com

Richard J. Favretto (*pro hac vice*)
MAYER BROWN LLP
1999 K Street, N.W.
Washington, DC 20006
Telephone: (202) 263-3000
Facsimile: (202) 263-3300
rfavretto@mayerbrown.com

Attorneys for Defendant
The Big Ten Conference, Inc.

1 By: /s/ Leane K. Capps
2 Leane K. Capps (*pro hac vice*)
3 Caitlin J. Morgan (*pro hac vice*)
4 POLSINELLI PC
5 2950 N. Harwood Street
6 Suite 2100
7 Dallas, TX 75201
8 Telephone: (214) 397-0030
9 lcapps@polsinelli.com
10 cmorgan@polsinelli.com

11 Amy D. Fitts (*pro hac vice*)
12 Mit Winter (SBN 238515)
13 POLSINELLI PC
14 120 W. 12th Street
15 Kansas City, MO 64105
16 Telephone: (816) 218-1255
17 afitts@polsinelli.com
18 mwinter@polsinelli.com

19 Wesley D. Hurst (SBN 127564)
20 POLSINELLI PC
21 2049 Century Park East, Suite 2300
22 Los Angeles, CA 90067
23 Telephone: (310) 556-1801
24 whurst@polsinelli.com

25 *Attorneys for Defendants*
26 *The Big 12 Conference, Inc. and*
27 *Conference USA, Inc.*

28 By: /s/ Robert W. Fuller
1 Robert W. Fuller, III (*pro hac vice*)
2 Nathan C. Chase Jr. (SBN 247526)
3 Lawrence C. Moore, III (*pro hac vice*)
4 Pearlynn G. Houck (*pro hac vice*)
5 Amanda R. Pickens (*pro hac vice*)
6 ROBINSON BRADSHAW & HINSON
7 101 N. Tryon St., Suite 1900
8 Charlotte, NC 28246
9 Telephone: (704) 377-2536
10 Facsimile: (704) 378-4000
11 rfuller@rbh.com
12 nchase@rbh.com
13 lmoore@rbh.com
14 phouck@rbh.com
15 apickens@rbh.com

16 Mark J. Seifert (SBN 217054)
17 SEIFERT LAW FIRM
18 425 Market Street, Suite 2200
19 San Francisco, CA 94105
20 Telephone: (415) 999-0901
21 Facsimile: (415) 901-1123
22 mseifert@seifertfirm.com

23 *Attorneys for Defendant*
24 *Southeastern Conference*

1 By: /s/ D. Erik Albright
2 D. Erik Albright (*pro hac vice*)
3 Gregory G. Holland (*pro hac vice*)
4 SMITH MOORE LEATHERWOOD
5 LLP 300 North Greene Street, Suite
6 1400
Greensboro, NC 27401
Telephone: (336) 378-5368
Facsimile: (336) 433-7402
erik.albright@smithmoorelaw.com
greg.holland@smithmoorelaw.com

7 Jonathan P. Heyl (*pro hac vice*)
8 SMITH MOORE LEATHERWOOD
9 LLP 101 N. Tryon Street, Suite 1300
Charlotte, NC 28246
Telephone: (704) 384-2625
Facsimile: (704) 384-2909
jon.heyl@smithmoorelaw.com

10 Charles LaGrange Coleman, III (SBN
11 65496)
12 HOLLAND & KNIGHT LLP
13 50 California Street, Suite 2800
14 San Francisco, CA 94111-4624
15 Telephone: (415) 743-6900
Facsimile: (415) 743-6910
ccoleman@hklaw.com

16 *Attorneys for Defendant
the Atlantic Coast Conference*

17
18 By: /s/ R. Todd Hunt
19 R. Todd Hunt (*pro hac vice*)
Benjamin G. Chojnacki (*pro hac vice*)
20 WALTER HAVERFIELD LLP
The Tower at Erieview
21 1301 E. 9th Street, Suite 3500
Cleveland, OH 44114-1821
Telephone: (216) 928-2935
Facsimile: (216) 916-2372
rthunt@walterhav.com
bchojnacki@walterhav.com

22 *Attorneys for Defendant Mid-American
Conference*

23 By: /s/ Benjamin C. Block
24 Benjamin C. Block (*pro hac vice*)
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street, N.W.
Washington, DC 20001-4956
Telephone: (202) 662-5205
Facsimile: (202) 778-5205
bblock@cov.com

25 Rebecca A. Jacobs (SBN 294430)
COVINGTON & BURLING LLP
One Front Street
San Francisco, CA 94111-5356
Telephone: (415) 591-6000
Facsimile: (415) 591-6091
rjacobs@cov.com

26 *Attorneys for Defendant
American Athletic Conference*

27 By: /s/ Meryl Macklin
28 Meryl Macklin (SBN 115053)
BRYAN CAVE LLP
560 Mission Street, 25th Floor
San Francisco, CA 94105
Telephone: (415) 268-1981
Facsimile: (415) 430-4381
meryl.macklin@bryancave.com

Richard Young (*pro hac vice*)
Brent Rychener (*pro hac vice*)
BRYAN CAVE LLP
90 South Cascade Avenue, Suite 1300
Colorado Springs, CO 80903
Telephone: (719) 473-3800
Facsimile: (719) 633-1518
richard.young@bryancave.com
brent.rychener@bryancave.com

70 *Attorneys for Defendant Mountain West
Conference*

1 By: /s/ Mark A. Cunningham
2 Mark A. Cunningham (*pro hac vice*)
3 JONES WALKER LLP
4 201 St. Charles Avenue
5 New Orleans, LA 70170-5100
6 Telephone: (504) 582-8536
7 Facsimile: (504) 589-8536
8 mcunningham@joneswalker.com

9 *Attorneys for Defendant*
10 *Sun Belt Conference*

11 By: /s/ Yehudah L. Buchweitz
12 Christopher J. Cox (Bar No. 151650)
13 Email: chris.cox@weil.com
14 David R. Singh (Bar No. 300840)
15 Email: david.singh@weil.com
16 WEIL, GOTSHAL & MANGES LLP
17 201 Redwood Shores Parkway
Redwood Shores, Ca 94065
Telephone: (650) 802-3000
Facsimile: (650) 802-3100

James W. Quinn (*pro hac vice*)
Email: james.quinn@weil.com
Yehudah L. Buchweitz (*pro hac vice*)
Email: yehudah.buchweitz@weil.com
WEIL, GOTSHAL & MANGES LLP
67 Fifth Avenue New York, NY 10153
Telephone: (212) 310-8000
Facsimile: (212) 310-8007

Attorneys for intervenor CBS
Broadcasting Inc.

17 By: /s/ David R. Singer
18 Richard L. Stone (Cal. Bar No. 110022)
rstone@jenner.com
19 David R. Singer (Cal. Bar No. 204699)
dsinger@jenner.com
Jeffrey A. Atteberry (Cal. Bar No. 266728)
jatteberry@jenner.com
JENNER & BLOCK LLP
20 633 West 5th Street, Suite 3600
Los Angeles, California 90071
Telephone: (213) 239-5100
Facsimile: (213) 239-5199

21 *Counsel for intervenors Fox Broadcasting*
Company, Fox Cable Networks, Inc., and
Fox International Channels (US), Inc.

22 By: /s/ David Kumagai
Evan R. Chesler (admitted to N.D. Cal. on
September 24, 1982)
J. Wesley Earnhardt (*pro hac vice*)
David Kumagai (*pro hac vice*)
CRAVATH, SWAINE & MOORE LLP
Worldwide Plaza
825 Eighth Avenue New York, NY 10019-
7475
Telephone: (212) 474-1000
Facsimile: (212) 474-3700
echesler@cravath.com
wearhardt@cravath.com
dkumagai@cravath.com

23 *Attorneys for intervenors ESPN, Inc.,*
ESPN Enterprises, Inc., and American
Broadcasting Companies, Inc.



24 **SO ORDERED**

25 Dated: September 4, 2018

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the signatories above.

/s/ Jennifer L. Jones
JENNIFER L. JONES